

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**CONSOLIDATED UNDER
CASE NO. 05-10155 PBS**

YISEL DEAN, et. al.,

Plaintiff,

v.

RAYTHEON COMPANY, et al.,

Defendants.

Case No.: 05 CV 10155 PBS

LISA A. WEILER, et. al.,

Plaintiff,

v.

RAYTHEON COMPANY, et al.,

Defendants.

Case No.: 05 CV 10364 PBS

**JOINT MOTION TO CHANGE TRIAL DATE AND
DATE FOR HEARING ON SUMMARY JUDGMENT**

The parties respectfully move the Court to change the trial date in this action from December 11, 2006 to February 26, 2007. In support of this Motion, the parties state as follows:

1. On March 15, 2006, this Court issued an electronic Scheduling Order [05-CV-10364-PBS, March 15, 2006 electronic order] changing the trial date in this case

from September 18, 2006 to December 11, 2006.

2. A December 11, 2006 trial date poses substantial scheduling conflicts for the parties and their counsel.¹ Assuming a 9 am to 1 pm trial schedule, counsel anticipates that the case will consume fifteen days of trial. The trial will thus extend into the week of school vacation beginning the week of December 25, 2006. Because this action involves parties, counsel and witnesses who will be traveling very long distances to Boston for trial,² scheduling a firm trial date after the December school vacation will also allow the parties, witnesses and counsel to set a travel schedule that will allow the Court to resolve this matter in an efficient, cost-effective and just manner.

3. Counsel have conferred and agreed to a new trial date of February 26, 2007.

4. This Court's electronic scheduling order of March 15, 2006 changed the summary judgment hearing date from July 18, 2006 to November 11, 2006.

5. November 11, 2006 is a Saturday.

6. Counsel have conferred and propose a new summary judgment hearing date of November 17, 2006.

WHEREFORE, the parties jointly move that the trial date be moved to February 26, 2007, and the summary judgment hearing date be moved to November 17, 2006.

¹ One scheduling conflict is that undersigned counsel, David Bunis, has a long-standing commitment to lead a community trip to Israel leaving Boston on December 20, 2006 and returning January 1, 2007.

² Plaintiffs' counsel reside in Charleston, South Carolina. Defense counsel reside in Wichita, Kansas. The Plaintiffs reside in Texas and Florida. Fact and expert witnesses will be traveling to Boston for trial from Texas, Florida, Kansas, California, the State of Washington, and Western Canada.

Respectfully Submitted,

Attorneys for the Plaintiffs

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Dated: March 28, 2006

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CERTIFICATE OF SERVICE

I, Jacob T. Elberg, hereby certify that a true and correct copy of this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants on March 28, 2006.

/s/ Jacob T. Elberg

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

I, Jacob T. Elberg, hereby certify that on March 28, 2006, I conferred with Defendant's counsel, Michael Jones, pursuant to Local Rule 7.1(A)(2). Defendant's counsel assents to this motion.

/s/ Jacob T. Elberg

Date: March 28, 2006